

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Joseph M. Gunjak,

Case: 4:22-mj-30105

Judge: Ivy, Curtis

Filed: 02-28-2022

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 21, 2021 in the county of Lapeer in the
Eastern District of Michigan, the defendant(s) violated:

Code Section
18 U.S.C. § 2252A(a)(5) and (b)(2)

Offense Description
Possession of Child Pornography

This criminal complaint is based on these facts:

Joseph Michael Gunjak violated 18 U.S.C. § 2252A(a)(5) and (b)(2) (Possession of Child Pornography) within the Eastern District of Michigan.

☒ Continued on the attached sheet.


Complainant's signature

Michael Wiggins, Special Agent, FBI
Printed name and title

Sworn to before me and signed in my presence.

Date: February 28, 2022

City and state: Flint, MI


Judge's signature

Curtis Ivy, Jr., U.S. Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A CRIMINAL COMPLAINT
AND ARREST WARRANT

I, Michael S. Wiggins, a Special Agent with the Federal Bureau of Investigation, being duly sworn, depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18 of the United States Code. I am empowered to conduct investigations of and to make arrests for offenses enumerated in Title 18 of the United States Code.

2. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI), United States Department of Justice (DOJ), currently assigned to the FBI's Detroit Division, Flint Resident Agency (FLRA). I have been so employed since March 2004. I am currently assigned as the Coordinator and a member of the Northeast Michigan Trafficking and Exploitation Crimes Task Force (NEMTEC) which is a Federal Bureau of Investigation (FBI) managed task force with investigative members assigned from the Michigan State Police (MSP) and FBI. It is tasked with addressing Crimes Against Children and Human Trafficking threats in coordination and cooperation with its local and state partners.

3. As part of my employment, I have received training in and been involved in investigations regarding human trafficking, exploitation of children, drug trafficking, money laundering, threats, financial crimes, crimes involving gang related activities, child pornography and other violations of federal law.

4. I am conducting an investigation related to violations of the following statute: 18 U.S.C. § 2252A(a)(5) and (b)(2) (Possession of Child Pornography). Based on the evidence discovered during the course of my investigation, probable cause exists that Josheph Michael Gunjak (DOB XX/XX/1991) committed violations of the above statute within the Eastern District of Michigan.

5. This Affidavit is submitted for the limited purpose of establishing probable cause; this affidavit, therefore, may not include all the information collected during this investigation. This Affidavit is intended to show only that there is sufficient probable cause for the requested complaint and warrant and does not set forth all of my knowledge about this matter. The information contained in this affidavit is based on personal knowledge, on reports made to me by other law enforcement officers, my training and experience, and the combined knowledge, training, and experience of other law enforcement officers and agents with whom I have had discussions.

PROBABLE CAUSE

6. On or about August 27, 2018, Joseph Michael Gunjak, was sentenced by a State of Michigan court to five years of probation after previously pleading guilty to two counts related to the possession of Child Sexually Abusive Material (CSAM). As such, he was required to register with the State of Michigan as a Registered Sex Offender. He was also subject to certain probation supervision conditions, including a search of his residence and electronic devices with cause.

7. On or about September 21, 2021, Michigan Department of Corrections (MDOC) Probation Agents conducted a compliance check of Gunjak at his residence in Lapeer County, Michigan, which is within the Eastern District of Michigan. They determined Gunjak lied about possessing a cell phone upon initial contact at his residence. During a subsequent search of his residence, an MDOC agent located three cellular telephones in Gunjak's bedroom. These devices were seized and transported to the MSP CCU for extraction and analysis pursuant to Gunjak's Supervision Conditions.

8. On or about September 23, 2021, an extraction of one of the devices was completed. During the examination of the device, several files containing images depicting sexually explicit conduct involving minors were located and the examination was stopped. Two of these files are described below:

- a. img_0173.jpg - This image depicts a female infant with her legs in the air exposing her genital area. The infant has a white and pink shirt on. The focus of the image is of the genital area of the child; and,
- b. img_0174.jpg - This image depicts a white, female child, approximately 10-12 years of age, on her hands and knees with her exposed buttocks facing toward the camera. She is wearing blue pants that are pulled down toward her knees and a gray shirt. She is looking back toward the camera with her tongue sticking out. The focus of the image is of her buttocks and genital region.

9. I am familiar with the federal definition of “child pornography” and related terms as defined under 18 U.S.C. § 2256. The images described above meet this definition.

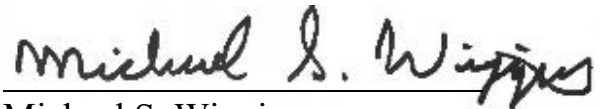
10. On or about October 12, 2021, Gunjak consented to a search of the seized devices. Pursuant to this consent, MSP CCU completed extractions of the seized devices.

11. I have reviewed the results of the extractions and observed numerous additional files containing images of child pornography from two of the devices.

The images include at least one video depicting a prepubescent minor engaged in sexually explicit conduct.

CONCLUSION

12. Based on the aforementioned facts, there is probable cause to believe that Joseph Michael Gunjak violated 18 U.S.C. § 2252A(a)(5) and (b)(2) (Possession of Child Pornography) within the Eastern District of Michigan.



Michael S. Wiggins
Special Agent

Sworn to before me and signed in my presence and/or by reliable electronic means on this 28th day of February, 2022.



Hon. Curtis Ivy, Jr.
United States Magistrate Judge